

Staff Summary Report



Council Meeting Date: 12/13/07

Agenda Item Number: 9

SUBJECT: Request approval of a professional services contract addendum with PCL Civil Constructors, Inc. for the Johnny G. Martinez Water Treatment Plant Water Quality Improvements.

DOCUMENT NAME: 20071213PWCH01 JOHNNY G. MARTINEZ WATER TREATMENT PLANT (0811-03) PROJECT NO. 3201091

SUPPORTING DOCS: Yes

COMMENTS: Addendum to a professional services contract for the amount of \$139,312.34, subject to the final written addendum. The original contract amount of \$415,839 plus approval of this addendum will increase the amount of the total contract to \$555,151.34.

PREPARED BY: MARK WEBER, PRINCIPAL CIVIL ENGINEER (x8526)

REVIEWED BY: ANDY GOH, DEPUTY PW MANAGER/CITY ENGINEER (x8896)
DON HAWKES, WATER UTILITIES MANAGER (x2660)

LEGAL REVIEW AS TO FORM: JENAE NAUMANN, ASSISTANT CITY ATTORNEY (x8402)

FISCAL NOTE: Sufficient funds are available in Capital Improvement Fund No. 3201091.

RECOMMENDATION: Approve addendum.

ADDITIONAL INFO: This addendum covers the engineering and piloting efforts that were necessary to provide proof of concept and budget level cost, which were not included in the original contract.

The fee of \$139,312.34 was negotiated by staff and is considered reasonable for the scope of services. The original contract amount of \$415,839 plus approval of this addendum will increase the amount of the total contract to \$555,151.34.

This approval is conditioned upon execution of the final written addendum and approved submittals of any required documents.

Approved by Glenn Kephart, Public Works Manager

8082112

CITY OF TEMPE, ARIZONA
PUBLIC WORKS DEPARTMENT
DIVISION OF ENGINEERING

CONSULTANT AGREEMENT

ADDENDUM NO. ONE

PROJECT NO. 3201091

PROJECT NAME: JOHNNY G. MARTINEZ WATER TREATMENT PLANT WATER
QUALITY IMPROVEMENTS

This AGREEMENT made and entered into on the 13th day of December 2007,
by and between the CITY OF TEMPE, ARIZONA, a municipal corporation, hereinafter called the
CITY and PCL CIVIL CONSTRUCTORS, INC. hereinafter called the CONSULTANT amends the
original Agreement made and entered into by and between the same parties on January 5, 2006,
(C2006-11).

For and in consideration of the mutual covenants and conditions hereinafter
contained, it is agreed by and between the CITY and the CONSULTANT as follows:

I. The original Agreement shall be extended to cover:

Additional engineering services to provide proof of concept and budget level
cost, as described in Exhibit "A" attached.

II. The services for the extension shall be the same as those stipulated under the
original contract.

III. For services described in this Agreement Addendum, the method of payment shall be payment by installments. Total compensation for services performed shall be the sum of \$139,312.34, which shall be payment in full for all labor, equipment, materials and supplies needed to perform these services.

All other provisions of the original contract Schedule of Payment Section shall apply to this Addendum.

Cost Analysis:	<u>Professional Services</u>	<u>Reimbursables</u>	<u>Total</u>
Initial Contract Amount	\$384,339.00	\$31,500.00	\$415,839.00
Previous Addenda	\$0.00	\$0.00	\$0.00
This Addendum	\$139,312.34	\$0.00	\$139,312.34
NEW CONTRACT AMOUNT			<u>\$555,151.34</u>

IV. The CONSULTANT shall proceed with the work immediately upon execution of this Addendum. The CONSULTANT shall be granted a time extension as outlined below:

Notice to Proceed Date	01/11/2006
Initial Time Allowed for Completion	730 days
Total Time Extension from Previous Addenda	0 days
Time Extension for this Addendum	200 days

V. All other provisions of the original Agreement where not inconsistent with this Addendum shall remain binding on the parties hereto.

Johnny G. Martinez Water Treatment Plant Water Quality Improvements
Project No. 3201091

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this _____ day
of _____, 2007.

CITY OF TEMPE, ARIZONA

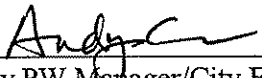
By _____
Mayor

By _____
Public Works Manager

ATTEST:

City Clerk

Recommended By:



Deputy PW Manager/City Engineer

APPROVED AS TO FORM:

City Attorney

The CONSULTANT warrants that the person who is signing this Agreement on behalf of the CONSULTANT is authorized to do so and to execute all other documents necessary to carry out the terms of this Agreement.

CONSULTANT
PCL Civil Constructors, Inc.

Name

Title

Federal I.D. No. /Social Security No.

Certified to be a true and exact copy.

Karen M. Fillmore
Records Specialist



EXHIBIT A

CONSTRUCTION LEADERS

November 9, 2007

Mr. Mark Weber, PE
City of Tempe
31 East Fifth Street
Tempe, AZ 85280

RE: City of Tempe
Johnny G Martinez WTP Expansion and Membrane Conversion – CMAR Design
Phase Services; Project No. 3201091

SUBJECT: Cost Proposal for Payment of Zenon Environmental Invoices

Dear Mr. Weber,

The engineering, design and piloting efforts of Zenon Environmental that were necessary to provide proof of concept and budget level cost were not included in PCL's original contract. These costs have been paid through PCL's CMAR Design Phase Services Contract and an addendum is required to incorporate this change into the contract.

Attached are the invoices for reference. The total cost of this change is \$139,312.34.

Should you have any questions, please contact the undersigned.

Yours truly,

PCL CIVIL CONSTRUCTORS, INC.

For Tom O'Donnell
Preconstruction Manager

TO/ks

PROFORMA

Original

PCL CIVIL CONSTRUCTORS INC
1729 WEST GREENTREE DRIVE
SUITE 105
TEMPE, AZ 85284
USA
85284

Delivery Address
PCL CIVIL CONSTRUCTORS INC
1729 WEST GREENTREE DRIVE
SUITE 105
TEMPE, AZ 85284
USA
85284

Customer: 300749 Project: 500317 Packing Slip:

Invoice: SL1/

1

GST No:

Date: 01-09-2006

Quantity	Unit	Item	Price	Unit	Tax	Disc. Price	Amount
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Sales Order : 501274

Order Date : 31-08-2006

Reference A : Johnny G. Martinez

Customer P.O.:

Reference B : 500317

GE ZENON Project Manager: Richard Pineo
Engineering and Design

98914.00

Goods

Costs

Amount Due USD

0.00

98914.00

98914.00

Delivery : Prepay

1.5% PER MONTH or 18% PER ANNUM

Payment : Net 30 days

CHARGED ON PAST DUE INVOICES

Please state with your payment : SL1/

1

Please Mail Your Payment to the Address below:

Tel:

Fax:

MAW

PROFORMA

Original

PCL CIVIL CONSTRUCTORS INC
1729 WEST GREENTREE DRIVE
SUITE 105
TEMPE, AZ 85284
USA
85284

Delivery Address
PCL CIVIL CONSTRUCTORS INC
1729 WEST GREENTREE DRIVE
SUITE 105
TEMPE, AZ 85284
USA
85284

Customer: 300749 Project: 500317 Packing Slip: Invoice: SL1/ 2 GST No: Date: 01-09-2006

Quantity	Unit	Item	Price	Unit	Tax	Disc. Price	Amount
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Sales Order : 501276
Order Date : 01-09-2006
Reference A : 500317
Reference B : John G. Martinez, AZ
GE ZENON Project Manager: Richard Pineo
Piloting Costs 38256.00

TAX SUMMARY		
Tax Authority	Rate	Amount
	5.600	2142.34

Goods	Costs	Tax	Amount Due USD
0.00	38256.00	2142.34	40398.34

Delivery : Prepay
Payment : Net 30 days
Please state with your payment : SL1/ 2
1.5% PER MONTH or 18% PER ANNUM
CHARGED ON EAST DUE INVOICES
Please Mail Your Payment to the Address below:

Tel:
Fax:

MAV